

REMARKS

The Office Action of March 18, 2009, has been carefully reviewed, and in view of the above amendments and the following remarks, reconsideration and allowance of the pending claims are respectfully requested.

In the above Office Action claims 40 and 42 were rejected under 35 U.S.C. §112, second paragraph as being indefinite. As set forth above, claim 40 has been amended to remove the phrase "such as" to which the Examiner objected, and claim 42 has been amended to remove the recitation directed to projections which may be in the form of spikes. Accordingly, Applicant respectfully submits that the rejections under Section 112 have been obviated.

In addition, the above Office Action rejects claims 40, 41, 46 and 48 under 35 U.S.C. §102(b) as being anticipated by WIPO PCT Application Publication No. WO93/00298 to Steger and claims 42, 44, 45 and 47 were rejected under 35 U.S.C. §103(a) as being unpatentable over Stegar in view of U.S. Patent No. 5,198,118 to Heskett. Still further, claims 43 and 49 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Stegar in view of U.S. Patent No. 5,008,011 to Underwood.

As amended above to include claims 43 and 46, independent claim 40 is directed to a water distribution system, including one or more circulation members, through which water can pass. One or more decontaminating members are restrainably located within each circulation member and freely movable therein, each decontaminating member having an outer surface of an antibacterial material. Each decontaminating member is in the form of a mesh and filter means are provided at an upstream part and/or downstream part of each circulation member to prevent the decontaminating member or members passing out of the circulation member.

The Merriam-Webster Online Dictionary defines "mesh" as "2a: the fabric of a net b: a woven, knit, or knotted material of open texture with evenly spaced holes c: an arrangement of interlocking metal links used especially for jewelry; or 3a: a web-like pattern or construction." See, Merriam-Webster Online. 18 June 2009 <<http://www.merriam-webster.com/dictionary/mesh>>. As set forth in claim 40, each decontaminating member is in the form of a mesh, the term mesh being interpreted to have its ordinary meaning as defined above. Underwood, upon which the Examiner relies in rejecting original claim 43, discloses randomly oriented fiber such as that commonly seen in steel wool abrasive pads. Applicant respectfully contends that the random orientation of fibers in Underwood does not define a mesh, i.e., there are no evenly spaced holes and there is no web-like pattern. Accordingly, Applicant respectfully submits that the cited prior art fails to suggest the use of mesh decontaminating members which are constrained by filter means which prevent the decontaminating member from passing out of the circulation member, as recited in claim 40.

In addition, in order to clarify the distinction of the claimed invention, newly added claim 61 recites that the mesh forming the or each decontamination member defines a predetermined pattern of open spaces. Hence, claim 61 is not suggested by the random fibers of Underwood.

Newly added claim 60 recites that filter means are provided at the upstream part and downstream part of the or each circulation member. The primary reference upon which the Examiner relies, Stegar, discloses a check valve 34 in the plumbing pipe so as to prevent the finely divided material from flowing back into the plumbing pipe when the water is turned off. Hence, it is apparent that Stegar does not include

a filter means in the upstream part of the pipe to prevent the finely divided material from passing out therefrom. Accordingly, Applicant submits that claim 60 is not suggested by the cited prior art.

Applicant respectfully submits that the cited prior art fails to suggest the use of mesh decontaminating members which are constrained by filter means which prevent the decontaminating member from passing out of the circulation member.

CONCLUSION

In view of the above amendments and remarks, Applicant respectfully submits that the claims of the present application are now in condition for allowance, and an early indication of the same is earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference would be helpful in resolving any remaining issues pertaining to this application; the Examiner is kindly invited to call the undersigned counsel for Applicant regarding the same.

Respectfully submitted,

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